



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: December 14, 2010

TO: Mayor and Councilmembers

FROM: City Clerk's Office, Administrative Services Department

SUBJECT: Resolution Of Appointment To Fill The Vacancy On The City Council
Due To The Resignation Of Councilmember Das Williams

RECOMMENDATION: That Council:

- A. Conduct the recommended process included herein to select a candidate to fill the vacancy resulting from the resignation of Councilmember Das Williams;
- B. Upon selecting a person to fill the Council vacancy, adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Appointing a Member to Fill the Office of City Councilmember Das Williams as a Result of Resignation; and
- C. Request the City Clerk to administer the Oath of Office to the person selected to fill the remainder of Councilmember Williams' term, from December 14, 2010, through January 10, 2012.

DISCUSSION:

On November 2, 2010, Councilmember Williams was elected to the 35th State Assembly District. As a result, Councilmember Williams resigned from the City Council effective December 6, 2010, creating a vacancy on the City Council.

City Charter Section 503 states:

"...A vacancy on the City Council, or in the Office of Mayor, from whatever cause arising other than expiration of term or the election of a member of the City Council to the Office of Mayor, shall be filled by appointment by the City Council within thirty (30) days of the occurrence of such vacancy..."

City Charter Section 501 addresses the criteria to hold office:

Section 501. Eligibility.

No person shall be eligible to hold office as Mayor or as a member of the City Council unless he is and shall have been a resident and qualified elector of the

City for at least thirty (30) days next preceding the date of his election or appointment. The City Council shall judge the qualifications of its members as set forth by this Charter. (Approved by election held March 6, 1979.)

Following a November 2010 recruitment, on December 7, 2010, Council interviewed 46 applicants interested in being appointed to fill the vacancy.

The Charter does not specify a process for Council to follow. Therefore, with the extraordinarily high number of applicants, staff is recommending that Council employ the following process to fill the vacancy.

I. Preliminary Ballot:

- A. A ballot with all eligible applicants is provided to the Mayor and Council
- B. Each Councilmember may vote for up to five different persons, sign the ballot and hand it to the City Clerk
- C. The City Clerk will place the ballots, one at a time, on the overhead projector and transfer the corresponding votes to a master sheet
- D. Those applicants receiving two or more Council votes will be eligible for consideration in the second round

II. Write-in Ballot:

- A. By write-in, the Mayor and each Councilmember may vote for up to three different persons from the list of remaining candidates, sign the ballot, and hand it to the City Clerk
- B. The City Clerk will place the ballots, one at a time, on the overhead projector and transfer the corresponding votes to a master sheet
- C. The names of those applicants receiving one or more Council votes will be placed in a pool of applicants eligible for nomination in the next round

III. Nomination Pool - Following the process used to appoint persons to Boards and Commissions:

- A. The Mayor and each Councilmember may nominate one person each from the list of applicants remaining upon the completion of Step II
- B. By roll-call, the Mayor and each Councilmember votes for one of the nominees
- C. The person who receives four or more votes is appointed
- D. If no person receives four votes the process may be repeated, starting at Step III.

Assuming the Council approves staff's recommendation for the balloting process, the person selected to fill the vacancy will be sworn in by the City Clerk's Office immediately following the Council decision, to serve the remainder of Councilmember Williams' term,

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from December 14, 2010, through January 10, 2012. A formal certificate of appointment will be presented to the newly-appointed Councilmember at the January 11, 2011 meeting of the City Council.

ATTACHMENTS: 1. Preliminary Ballot
2. Write-in Ballot

PREPARED BY: Cynthia M. Rodriguez, City Clerk Services Manager

SUBMITTED BY: Marcelo A. López, Assistant City Administrator

APPROVED BY: City Administrator's Office

PRELIMINARY BALLOT

FIRST ROUND	VOTE FOR UP TO FIVE APPLICANTS
	1. Nancy Sirbu
	2. Beverly D. Brott
	3. Ed Cavazos
	4. Lori A. Frisbie
	5. John J. Torell
	6. Michael Jordan
	7. Christopher A. Blair
	8. Tom Brooks Burgher
	9. Sharon Byrne
	10. Barbara E. Mathews
	11. Andy Rosenberger
	12. Robert Burke
	13. Suzanna L. Savage-Raftican
	14. Randy Rowse
	15. Alberto Pizano
	16. Blanca Flor Benedict
	17. Daniel Ramirez
	18. John J. Thyne
	19. Dianne Channing
	20. Charles E. Huff
	21. Jerry Matteo
	22. Audrey Addison Williams
	23. Keith Coffman-Grey
	24. Bonnie Raisin
	25. Naomi Kovacs
	26. Cruzito Herrera Cruz
	27. Chris Casebeer
	28. John C. Jostes
	29. Della Rosales
	30. Gerald W. "Gerry" DeWitt
	31. James E. Caldwell
	32. Richard (Rick) Goodfriend
	33. Loretta Redd
	34. Sheila Lodge
	35. G. Paul Berenson
	36. Marilyn Rickard
	37. Cathie McCammon
	38. Carola A. Nicholson
	39. Brian B. Barnwell
	40. Brian Fahnestock
	41. Wayne B. Norris
	42. Diego Torres-Santos
	43. Charles R. Quintero
	44. Willie A. Shaw
	45. David K. Hughes
	46. David Pritchett

WRITE-IN BALLOT

WRITE-IN VOTE FOR UP TO THREE APPLICANTS

APPLICANTS
1.
2.
3.

Name: _____ Signature: _____